

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, ET AL.

v.

GOOGLE LLC

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CIVIL NO. 4:20-CV-957-SDJ

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE SPECIAL MASTER**

Before the Court is Special Master David Moran's Report and Recommendation, (Dkt. #428), concerning Google LLC's ("Google") Motion for Protective Order, (Dkt. #347), and Memorandum in Support thereof, (Dkt. #361). Plaintiff States oppose the motion. (Dkt. #374). The Court referred the motion to the Special Master on April 12, 2024. (Dkt. #367). The parties did not file any objections.

After full consideration, the Report and Recommendation of the Special Master, (Dkt. #428), is **ADOPTED**. It is **ORDERED** that the Motion for Protective Order, (Dkt. #347), is **GRANTED** in part and **DENIED** in part.

It is further **ORDERED** that the motion is **GRANTED** as to Ms. Garber's deposition.


It is further **ORDERED** that the motion is **GRANTED** as to the States' written discovery seeking discovery-on-discovery without prejudice to the States later seeking such discovery if justified.

It is further **ORDERED** that the motion is **DENIED** as to Rule 30(b)(6) testimony on Topics 1 and 18 with respect to Google Chats.

It is further **ORDERED** that the motion is **GRANTED** as to Rule 30(b)(6) testimony on Topics 2, 3, 4, 5, 16, 17, and 19.

It is further **ORDERED** that Google must conduct a re-review of those privileged documents identified on its privilege log that mention or refer to Ms. Garber and confirm that such documents, upon counsel of record's review, are not tainted by the alleged "fake privilege."

So ORDERED and SIGNED this 1st day of May, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE